

520.38979CX!

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants: T. ONO, et al.
Serial No.: 10/671,608
Filed: September 29, 2003
Title: SAMPLE SURFACE PROCESSING METHOD
Group AU: 1765
Examiner: Ahmed, Shamim
Confirmation No.: 8510

TERMINAL DISCLAIMER**Mail Stop: AMEND - FEE**

Commissioner for Patents
P. O. Box 1450
Alexandria, VA 22313-1450

January 17, 2007

Sir:

Petitioner, Hitachi, Ltd., having its place of business at 6, Kanda Surugadai 4-chome, Chiyoda-ku, Tokyo, Japan, represents that it is the sole owner of the entire interest of U.S. Application No. 10/671,608, filed September 29, 2003, for SAMPLE SURFACE PROCESSING METHOD, and that the Assignment of all rights in connection therewith has been recorded at Reel 011447, Frame 0750.

Petitioner hereby disclaims all that portion of the term of any patent to be issued on the above-identified application subsequent to the expiration date of the full statutory term, defined in 35 USC 154 to 156 and 173, of U.S. Patent No. 6,660,647, issued December 9, 2003, and hereby agrees that any patent issued on the above-identified application shall be enforceable only for and during such time as said U.S. Patent No. 6,660,647 and the above-identified application are commonly owned.

Petitioner, however, does not disclaim the terminal part of any patent granted on the instant application prior to the expiration date of the full statutory term, defined in 35 USC 154 to 156 and 173, of the above-listed U.S. Patent No. 6,660,647, in the

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event that U.S. Patent No. 6,660,647 expires: for failure to pay a maintenance fee; is held unenforceable; is found invalid; is statutorily disclaimed in whole or terminally disclaimed under 37 CFR 1.321; has all claims cancelled by a reexamination certificate; is reissued; or is otherwise terminated prior to expiration of the above-referred-to full statutory term, except for the separation of legal title as stated above.

This disclaimer is to be binding with respect to any patent granted on the above-identified application, and is binding upon grantees, their successors, or assignees of any interests.

The undersigned is an attorney of record in this application and is empowered to act on behalf of Hitachi, Ltd. for execution and submission of Terminal Disclaimers, in accordance with the provisions of 37 CFR 1.321(b) and (c), effective January 4, 1994.

The undersigned hereby declares that all statements made herein of his knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine, or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issuing thereon.

Respectfully submitted,

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